

Amendment No. 2 to SB0301

Briggs  
Signature of Sponsor

**AMEND Senate Bill No. 301**

**House Bill No. 327\***

by inserting the following new section immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION\_\_\_. Tennessee Code Annotated, Title 8, Chapter 44, Part 1, is amended by adding the following as a new section:

(a) As used in this section, "utility governing body" means a board of directors, board of public utilities, or other similar governing body of:

(1) Utility districts created pursuant to title 7, chapter 82, or a public or private act;

(2) Water, wastewater, natural gas, and energy authorities and multi-utility authorities created pursuant to title 68, chapter 221, part 6 or 13; title 7, chapter 36; or a public or private act; and

(3) Boards of public utilities and other similar municipal or county utility systems created or operating pursuant to title 7, chapter 52; a public or private act; or a charter provision of a home rule municipality.

(b)

(1) A member of a utility governing body may participate in a scheduled meeting by electronic means, including, but not limited to, videoconferencing or other web-based media, only for the following reasons:

(A) The member is required to be out of the county for the member's work;

(B) The member is dealing with a family or medical emergency as determined by the utility governing body; or

(C) The member has been called into military service.

(2) A member who is absent shall only participate if the member can be visually identified by the chair.

(c) A utility governing body shall not conduct a meeting that includes electronic participation unless a quorum of the utility governing body is present at the physical location of the meeting. No more than three (3) members or twenty percent (20%) of the total membership of the governing body, whichever is greater, may participate electronically.

(d) A utility governing body member wishing to participate in a scheduled meeting electronically who is or will be out of the county because of work shall give the chair at least five-days' notice prior to the scheduled meeting of the member's intention to participate electronically.

(e) A utility governing body member shall not participate electronically in meetings more than two (2) times per year; provided, that this limitation does not apply to a member who is absent due to military service.

(f)

(1) All meetings of a utility governing body conducted by electronic means under this section must remain open and accessible to the public by providing real-time, live audio or video access to the public.

(2) A clear audio or video recording of the meeting must be made available to the public as soon as practicable following the meeting, and in no event more than two (2) business days after the meeting.

(3) In the public notice required by § 8-44-103, the utility governing body shall provide information regarding how the public can obtain real-time, live

access to, or broadcast of, the meeting, and the governing body is strongly urged to provide an agenda for the meeting in such notice.

(g) The utility governing body shall develop a policy for conducting meetings that include electronic participation.